

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
February 20, 1974

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, February 20, 1974, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT, KATNICH,
SCHAFFER and HUGHES
(Mayor)

Absent: Councilmen - PINKERTON

Also present: City Manager Graves, Assistant City Manager Jerry Glenn, City Attorney Mullen, Planning Director Schroeder, and Public Works Director Jones.

INVOCATION

The invocation was given by Councilman Ehrhardt.

PLEDGE

Mayor Hughes led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Ehrhardt, Katnich second, the minutes of the February 6, 1974, meeting were approved as written and mailed.

RESOLUTION OF
COMMENDATION

Mayor Hughes presented employees Don Seibel and Robert Butler a Resolution of Commendation, commending their efforts and quick action following the accident involving Clint Faul, which resulted in the saving of his life.

PUBLIC HEARINGS

PARK STREET
STREET LIGHTS

Notice thereof having been published and posted in accordance with law and affidavits of publication being on file in the office of the City Clerk, Mayor Hughes called for hearing on the proposed formation of the Park Street Street Lighting District. City Manager Graves explained that under the 1911 Improvement Act, proceedings had been initiated by the property owners, who had presented a petition for the lights signed by owners of more than sixty percent of the front footage in the proposed district.

Speaking in favor of the proposed formation of the Park Street Street Lighting District was Marjorie J. Dyer, 533 Park Street, Lodi.

The City Clerk reported that a letter had been received from Al Hansen, owner of property at 519 and 521 Park Street, Lodi protesting the installation of street lights at this time.

There being no other persons in the audience wishing to be heard on the matter, the public portion of the hearing was closed.

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RES. NO. 3876
OVERRULING
PROTESTS

Councilman Katnich moved adoption of Resolution No. 3876 overruling protests on the Park Street Street Lighting District. The motion was seconded by Councilman Ehrhardt and carried.

RES. NO. 3877
ADOPTING SCALE
OF PREVAILING
WAGE

Councilman Ehrhardt moved adoption of Resolution No. 3877 adopting the scale of prevailing wage rates. The motion was seconded by Councilman Schaffer and carried.

RES. NO. 3878
ORDERING WORK
PARK ST. S.L.
DIST.

On motion of Councilman Schaffer, Katnich second, the Council adopted Resolution No. 3878 ordering the work to be done on the Park Street Street Light District.

RES. NO. 3879
DIRECTING
ASSESSMENT
PARK ST. S.L.
DIST.

Councilman Schaffer then moved adoption of Resolution No. 3879 directing the assessment be prepared for the Park Street Street Light District. The motion was seconded by Councilman Ehrhardt and carried.

APPEAL - MRS.
STELLA
MICHAELOFF

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, the Mayor called for the public hearing to consider the appeal of Mrs. Stella Michaeloff of the action of the Planning Commission denying her request for a Home Occupation Permit for therapeutic massage in her home at 216 South California Street in an area zoned R-MD, Medium Density Multiple Family Residential.

Planning Director Schroeder introduced the matter and reviewed the Planning Commission action in this matter.

Mr. Max Michaeloff, 11662 N. Ham Lane, representing Mrs. Stella Michaeloff, spoke in favor of the appeal.

There being no other persons in the audience wishing to speak either in favor of or in opposition to the appeal, the public portion of the hearing was closed.

Following discussion on the matter, the appeal was denied on motion of Councilman Schaffer, Ehrhardt second.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of February 11, 1974:

ACTIONS OF
INTEREST

1. Continued its Public Hearing to consider re-zoning an approximate 13-acre site bounded by West Turner Road, North Sacramento Street, Louie Avenue and North Church Street from the C-S, Commercial Shopping District to a residential zoning classification until Monday, August 12, 1974.

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It was the Planning Commission's position that the Public Hearing would not be conducted if actual construction had begun on the shopping center.

2. Conducted the annual review of the status of Planned Development District No. 4, English Oaks Manor Subdivision at the northwest corner of South Hutchins Street and Harney Lane and determined that no action was required at this time.
3. Conducted the annual review of the status of Planned Development District No. 10: El Portal, The Valley and the Vineyard Subdivisions at the northeast corner of South Hutchins Street and Harney Lane and determined that no action was required at the present time.
4. Approved the request of Mrs. Angeline Joens and Mrs. Colleen Ward for a Variance to permit the erection of a 5-foot-high fence within the required street side yard area at 234 South Crescent Street in an area zoned R-2, Single-Family Residential.

COMMUNICATIONS
APPLICATION
FILED BY P.G.&E.
WITH P.U.C. FOR
GAS SERVICE
TARIFF INCREASE

The City Clerk presented a notice which was received from Pacific Gas & Electric Company of Applications Nos. 54616, 54617, and 54618, filed with the California Public Utilities Commission on January 31, 1974, requesting authorization to revise its gas service tariff to offset the effect of anticipated increases in the price of gas respectively from California sources, from El Paso Natural Gas Company and from Pacific Gas Transmission Company caused by increases in the price of Canadian gas.

The proposed P. G. and E. offset rate increases amount to 17.9% for general service customers (including domestic customers), 22.5% for firm industrial customers, 26.6% for resale customers, and 32.5% for interruptible customers (31.7% for regular interruptible customers and 35.9% for P. G. and E's steam electric plants).

APPLICATION
FILED BY WESTERN
UNION TELEGRAPH
CO. WITH P.U.C.
FOR REVISION OF
RATES & REGULA-
TIONS

The City Clerk presented a notice received from Western Union Telegraph Co. of application filed with the California Public Utilities Commission to revise Western Union Telegraph Co. rates and regulations applicable to public message telegram and money order services in conformity with similar tariff provisions applicable to interstate service.

APPLICATION
FILED BY GREY-
HOUND LINES, INC.
WITH P.U.C.
FOR RATE INCREASE

The City Clerk also presented a notice received from Greyhound Lines, Inc. of Application 54653 filed February 13, 1974, with the California Public Utilities Commission requesting approval of a proposal to increase the passenger bus fares

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and package express rates by 11% to offset known expense increases. Greyhound has also requested that the Commission subsequently consider an additional increase of 5% to afford Greyhound a reasonable rate of return.

SAN JOAQUIN
ENGINEERS
COUNCIL

A letter was received from Douglas L. Wilson, General Chairman of the San Joaquin Engineers Council stating that the engineering profession fully recognizes its role and challenge in research and development of new sources of energy.

"Engineering is our greatest energy resource," has been selected by the Nation's engineers as their theme for 1974. A nationwide observance of Engineers' Week will take place from Feb. 17 to Feb. 23, 1974, and they are requesting that week be designated as "Engineers' Week" in Lodi.

ABC LICENSE

Applications for alcoholic beverage license were received as follows:

1. Forest J. Greenigen, Lodi Avenue Liquor Store, 914 W. Lodi Ave., off-sale general license, person-to-person transfer, dropping partner - Robert J. Bennett.
2. Katsuyo Masui, Hiroshima Hotel, 20 N. Main Street, on sale beer and wine - eating place, dropping partner - Florence F. Kosaka.
3. Lodi Lions Baseball Club, Inc. listing the following officers: Ronald B. Thomas, President; Theodore Katzakian, Vice President; C. M. Sullivan, Jr., Secretary; and Herbert E. Horstmann, Treasurer. Lawrence Park, 350 N. Washington Street. On sale beer- seasonal, effective April 1 of each year. This is a new license.

"NO SMOKING"
IN PUBLIC
PLACES

A letter was received from Darlene Reich, 420 Howard Street, Lodi stating that she is writing to complain about people who smoke in public places. She feels that smoking in waiting rooms in all types of doctors offices should be prohibited, and she feels that as a non-smoker, she should also have rights.

LODI DISTRICT
CHAMBER OF
COMMERCE
ENCOURAGING
VOLUNTARY
CURTAILMENT OF
ENERGY CON-
SUMPTION

Mayor Hughes read a letter which had been received from Dr. C. Robert Breckenridge, D.D.S. President of the Lodi District Chamber of Commerce strongly encouraging community participation in voluntary curtailment of energy consumption. The Lodi District Chamber of Commerce is strongly opposed to any mandatory energy curtailment ordinances, and state they consider the implementation of such an ordinance premature, since voluntary efforts have proven satisfactory to date.

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The Chamber is planning to strongly encourage voluntary curtailment by its membership in all future communications and encourage the City to carry their message of voluntary curtailment to all service clubs and other groups within the City. The Chamber stated they would be happy to mail this message to any and all service clubs and stand ready to cooperate to the fullest with the City on this matter.

Mayor Hughes requested that the criteria for curtailment of electric usage as set forth in Decision 82305, Public Utilities Commission, January 3, 1974, be summarized and forwarded to the Lodi District Chamber of Commerce for distribution to their membership, requesting that the Chamber work with us in attempting to achieve voluntary compliance for curtailment of electric usage.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$361,245.14 were approved on motion of Councilman Ehrhardt, Katnich second.

AWARD - DOWNTOWN UNDERGROUND DISTRICT I

City Manager Graves presented bids received on Downtown Underground District I as follows:

RES. NO. 3880

Graffigna Electric	\$61,890.00
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Pacific Engineers	\$70,528.10
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Underground Construction Co., Inc.	\$78,581.95
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Communications Construction & Excavating Co.	\$89,479.19
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On motion of Councilman Katnich, Schaffer second, the Council adopted Resolution No. 3880 awarding the contract for Downtown Underground District I to Graffigna Electric for a total of \$61,890.

PEACH STREET SANITARY SEWER ASSESSMENT DISTRICT

The City Manager presented plans and specifications for the installation of sanitary sewers on Peach Street and Cochran Road. A petition for the installation of sanitary sewers on Peach Street and Cochran Road had been presented to the Council on 9/5/73 with certification by the City Clerk that the petition contained signatures of owners of more than 60% of the property described in the petition. The petitioners waived the investigation provided for by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931" in conjunction with the installation.

RES. NO. 3881 ADOPT PLANS & SPECIFICATIONS

On motion of Councilman Schaffer, Ehrhardt second, the Council adopted Resolution No. 3881 adopting the plans and specifications for the Peach Street Sanitary Sewer Assessment District.

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RES. NO. 3882

RESOLUTION OF
INTENTION

On motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution No. 3882 stating the Council's intention to form the Peach Street Sanitary Sewer Assessment District and setting the public hearing thereon for March 20, 1974.

WILLOW AVE.
SANITARY SEWER
ASSESSMENT
DISTRICT

The City Manager also presented plans and specifications for the installation of sanitary sewers on Willow Avenue. A petition for the installation of sanitary sewers on Willow Avenue had been presented to the Council on December 12, 1973, with certification by the City Clerk that the petition contained signatures of owners of more than 60% of the property described in the petition. The petitioners waived the investigation provided for by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931" in conjunction with the installation.

RES. NO. 3883

ADOPT PLANS &
SPECIFICATIONS

On motion of Councilman Katnich, Schaffer second, the Council adopted Resolution No. 3883 adopting the plans and specifications for the Willow Avenue Sanitary Sewer Assessment District.

RES. NO. 3884

RESOLUTION OF
INTENTION

On motion of Councilman Katnich, Schaffer second, the Council adopted Resolution No. 3884 stating the Council's intention to form the Willow Avenue Sanitary Sewer Assessment District and setting the Public Hearing thereon for March 20, 1974.

SCHOOL CROSSING
ON THE NORTH
SIDE OF PARK ST.
ACROSS HAM LANE

The City Manager reported that the student body of the Lodi Senior Elementary School has made a formal request to the City Council for a school crossing on the north side of Park Street across Ham Lane. The request had been endorsed by the Chief of Police and the Principal of Senior Elementary School.

RES. NO. 3885

On motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution No. 3885 establishing a school crossing on the north side of Park Street across Ham Lane.

VINEWOOD PARK
RESTROOM
BUILDING

On motion of Councilman Schaffer, Katnich second, the Council approved the plans and specifications for Vinewood Park Restroom Building, 1730 W. Tokay Street and authorized the City Clerk to advertise for bids thereon.

CITY HALL
REMODELING,
PROJECT 3

Arlie Preszler, A.I.A., presented the third set of plans for City Hall Remodeling. This project covers the area vacated by the City Manager, Assistant City Manager, City Clerk, Planning Dept., the blueprint room, the balance of the Council Chamber, and the second floor lobby and stairway from the first to second floor.

On motion of Councilman Schaffer, Ehrhardt second, the Council adopted the plans and specifications for City Hall Remodeling, Project 3 and authorized the City Clerk to advertise for bids thereon.

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RIGHT-OF-WAY
ACQUISITION -
LODI AVE
ANGELINE JOENS
& COLLEEN F.
WARD

The City Manager recommended that the City Council approve the right-of-way agreement between the City and Angeline Joens and Colleen F. Ward, which property is necessary for the Lodi Avenue widening at the northwest corner of Lodi Avenue and Crescent Avenue, for the amount of \$3,670 - which was the appraised price of the property.

On motion of Councilman Schaffer, Ehrhardt second, the Council approved the right-of-way agreement between Angeline Joens and Colleen F. Ward and the City of Lodi and authorized the City Manager to sign on behalf of the City.

RIGHT-OF-WAY
ACQUISITION -
LODI AVE -
GUNDERSHAUG

The City Manager recommended that the City Council approve the acquisition of a 9.5 foot wide strip along the north side of Lodi Avenue at the northwest corner of Lodi Ave. & Crescent Ave. from Norval J. Gundershaug for the amount of \$1900, which is the appraised price of the property. In addition to the cash consideration, the City will be removing and replacing existing curb, gutter, and sidewalk, and modifying the existing lawn sprinkler system.

On motion of Councilman Ehrhardt, Schaffer second, the Council approved the right-of-way agreement between Norval J. Gundershaug and the City of Lodi and authorized the City Manager to sign on behalf of the City.

RIGHT-OF-WAY
ACQUISITION -
LODI AVE -
DEWALT

The City Manager recommended that the City Council approve of a 3-foot strip along 95.7 feet on the south side of Lodi Ave. from Connie Dewalt for the amount of \$800, as well as removal and replacement of existing curb, gutter, and sidewalk along Lodi Ave.

On motion of Councilman Schaffer, Ehrhardt second, the Council approved the right-of-way agreement between Connie Dewalt and the City of Lodi for right-of-way acquisition on Lodi Avenue and authorized the City Manager to sign on behalf of the City.

FOUR-WAY
STOP -
HAM & VINE

The City Manager reported that a request had been received for the installation of 4-way stop signs at Ham Lane and Vine Street. The City Manager reported that he is not recommending the installation of 4-way stop signs at this location for the following reasons:

1. Traffic volumes on Vine Street are approximately 1700 vehicles daily and on Ham Lane approximately 7500 vehicles daily. Traffic volumes should be approximately equal to prevent undue delay to the major street.
2. Traffic signals are not warranted and the installation of 4-way stop signs is not needed as an interim measure to control traffic.

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3. There have been six reported accidents during the past 12-month period. Of these, only two may have been preventable by 4-way stops. The one accident that occurred during school hours was not of the type correctable by the installation of stop signs.

Councilman Ehrhardt moved that the Council concur with the recommendation of the City Manager in denying the request for the installation of 4-way stop signs at Ham Lane and Vine Street. The motion was seconded by Councilman Schaffer and carried.

LODI BIKEWAY
PLAN STUDY

The City Manager reported to the Council the various areas to which the Cal Poly student team design study concerning the Lodi Bikeway Plan would relate.

Following a brief discussion, Councilman Ehrhardt moved to authorize the expenditure of \$1500 to initiate a Cal Poly student team design study for development into the Preliminary Lodi Bikeway General Plan. The motion was seconded by Councilman Schaffer and carried.

ACQUISITION -
VIVIAN HUGHES
ET AL
PROPERTY -

The City Attorney reported that a settlement had been reached with Vivian Hughes, et al for the purchase of property for the expansion of Lodi Lake Park.

LODI LAKE
EXPANSION

Mayor Hughes stated he wished to abstain from the discussion and voting.

On motion of Councilman Schaffer, Katnich second, the Council authorized the acquisition of the Vivian Hughes et al property for the expansion of Lodi Lake for \$18,500.

TRAFFIC
SIGNAL -
ELM STREET &
HAM LANE

The City Manager reported that the work on the traffic signal and highway lighting, Elm Street and Ham Lane, had been completed by the contractor, Collins Electric Co., Inc., in substantial conformance with the plans and specifications approved by the City Council, State Divisions of Highways, and the Federal Highways Administration. The City Manager further related that this is the first TOPICS project completed by the City.

On motion of Councilman Ehrhardt, Schaffer second, the Council accepted the traffic signal improvements at the intersection of Ham Lane and Elm Street and authorized the Public Works Director to file a Notice of Completion with the County Recorder on behalf of the City.

TERMINATION
AGREEMENT -
SOUTHERN
PACIFIC CO.

The City Manager reported that on 10/30/58 the City entered into an agreement with Southern Pacific Co. to place a 30 inch storm drain along the north side of Kettleman Lane under the Southern Pacific tracks. The storm drain was removed as part of the Kettleman Lane construction and the City Manager recommends that a Termination Agreement be executed to clear the records.

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RES. NO. 3886	On motion of Councilman Katnich, Schaffer second, the Council adopted Resolution No. 3886 approving the Termination Agreement with the Southern Pacific Co. and authorizing the City Manager to sign on behalf of the City.
RESOLUTION OF WELCOME	On motion of Councilman Ehrhardt, Katnich second, the Council adopted a Resolution of Welcome to Miss Ikuko Ishwii, Mrs. Reverend Mami Takahashi, and Mrs. Tsukiyo Ignashi to the City of Lodi.
ASSESSMENT DIAGRAM - W. LOCUST ST. S.L. DISTRICT	The City Manager presented the Assessment Diagram for the West Locust Street Street Light District for Council approval. On motion of Councilman Katnich, Schaffer second, the Council adopted Resolution No. 3887 approving the Assessment Diagram.
RES. NO. 3887	
ANNUAL AUDIT REPORT	The City Manager presented to the Council the Annual Audit Report and Financial Statements as of June 30, 1973, as prepared by H. P. McCandless, Stockton, California
AWARD - 4 PAD MOUNTED TRANSFORMERS	The City Manager presented bids received for four 12-KV pad mounted transformers as follows:
RES. NO. 3888	<p>Allis Chalmers Corp. - 42 weeks delivery 150 KVA (Item 3) \$2,230; 112.5 KVA (Item 4) \$2,082 Escalation Clause - none - Total \$4,527.60*</p> <p>Westinghouse Elec. - 750 KVA (Item 1) \$7,039 - 40 weeks delivery; 500 KVA (Item 2) \$3,589 - 52 weeks delivery; 150 KVA (Item 3) \$1,864 - 52 weeks delivery; 112.5 KVA (Item 4) \$1,620 - 52 weeks delivery Escalation Clause - none - Total \$14,817.60*</p> <p>R. T. E. Corp. - 36 weeks delivery 750 KVA (Item 1) \$5,150; 500 KVA (Item 2) \$4,084; 150 KVA (Item 3) \$2,599; 112.5 KVA (Item 4) \$2,307 Escalation Clause - none - Total \$14,847.00*</p> <p>Maydwell & Hartzell - 42 weeks delivery 150 KVA (Item 3) \$2,285; 112.5 KVA (Item 4) \$2,023 Escalation Clause - 2/3% month - Total \$4,523.40*</p> <p>Valley Electric - 24 weeks delivery 750 KVA (Item 1) \$6,190; 500 KVA (Item 2) \$5,065; 150 KVA (Item 3) \$2,860; 112.5 KVA (Item 4) \$2,680 Escalation Clause - Oil Cost - Total \$17,634.75*</p> <p>Graybar Electric (G.E.) - 750 KVA (Item 1) \$5,419 - 34 weeks delivery; 500 KVA (Item 2) \$3,806 - 34 weeks delivery; 150 KVA (Item 3) \$2,536 - 20 weeks delivery; 112.5 KVA (Item 4) \$2,258 - 20 weeks delivery; Escalation Clause - 2/3% month - Total \$14,719.95*</p>

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G. E. Supply Co. -

750 KVA (Item 1) \$5,445.30 - 34 weeks delivery
 500 KVA (Item 2) \$3,825.15 - 34 weeks delivery
 150 KVA (Item 3) \$2,548.35 - 20 weeks delivery
 112.5 KVA (Item 4) \$2,269.05 - 20 weeks delivery
 Escalation Clause - 2/3% month - Total \$14,792.24*

Standard Transf. Co. -

750 KVA (Item 1) \$6,016 - 28-30 weeks delivery
 500 KVA (Item 2) \$4,419 - 28-30 weeks delivery
 150 KVA (Item 3) \$3,415 - 80 weeks delivery
 112.5 KVA (Item 4) \$3,062 - 80 weeks delivery
 Escalation Clause - 2/3% mo. after 90 day ARO
 TOTAL - \$17,757.60*

*Including Tax

Adjusting for the escalation clauses and taking into account the length of delivery, the City Manager recommended that the award be made as follows:

Item 1 - 750 KVA	R. T. E. Corporation	\$5,150
	36 weeks delivery acceptable	
Item 2 - 500 KVA	Graybar Electric	\$3,806
	Plus escalation of \$152	
	with delivery of 34 weeks	
Item 3 - 150 KVA	Graybar Electric	\$2,536
	Plus \$34 escalation with	
	delivery of 20 weeks	
Item 4 - 112.5 KVA	Graybar Electric	\$2,258
	Plus escalation of \$30	
	with delivery of 20 weeks	

On motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution No. 3888 awarding the contract for the 4 Pad Mounted Transformers to:

Item 1 - 750 KVA	R. T. E. Corporation	\$5,150
Item 2 - 500 KVA	Graybar Electric	\$3,806
	Plus escalation of \$152	
Item 3 - 150 KVA	Graybar Electric	\$2,536
	Plus \$34 escalation	
Item 4 - 112.5 KVA	Graybar Electric	\$2,258
	Plus escalation of \$30	

ORDINANCES

METER HOLIDAYS

ORD. 1021
 ADOPTED

ORDINANCE NO. 1021, entitled, "AN ORDINANCE AMENDING SECTION 14-1 OF CHAPTER 14 OF THE CODE OF THE CITY OF LODI ENTITLED 'MOTOR VEHICLES AND TRAFFIC,' AND THEREBY AMENDING THE DEFINITION OF HOLIDAYS," having been introduced at a regular meeting on February 6, 1974,

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was brought up for passage on the motion of Councilman Ehrhardt, Katnich, second. Second reading was omitted after reading by title and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Katnich, Schaffer and Hughes

Noes: Councilmen - None

Absent: Councilmen - Pinkerton

SIDEWALK
POLICY

Councilman Ehrhardt reported that he had called on and spoken to both Mr. & Mrs. Saulsbury, 425 Mission Street and Mrs. M. M. Huber, 727 S. Garfield, regarding their enquiries on the City's sidewalk policy.

DATES OF
INTEREST

Councilman Schaffer informed the Council of the Council of Governments meeting to be held Tuesday, February 26, 1974, at 7:30 p.m. at the Board of Supervisors Chambers.

Mayor Hughes informed the Council that Councilman Ehrhardt and City Manager Glaves would be attending an Environmental Protection Agency meeting on February 21, 1974, which will also be attended by a neighboring division of the League of California Cities as well as the division of which Lodi is included.

Mayor Hughes also advised the Council of the California Chamber of Commerce Legislative Tax Forum to be held March 12.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 10:15 p.m. on motion of Councilman Ehrhardt, Katnich second.

Alice M. Reimche

Attest: ALICE M. REIMCHE
City Clerk